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PTO/SB/31 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)  
Q137-US9

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed  
name \_\_\_\_\_

In re Application of  
TSUKAMOTO, Hisashi et al.

Application Number  
10/665,509

Filed  
September 17, 2003

For ELECTRIC STORAGE BATTERY  
CONSTRUCTION AND METHOD OF MANUFACTURE

Art Unit  
1795

Examiner  
Keith Walker

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 540.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 270.00

☐ A check in the amount of the fee is enclosed.

03/06/2009 SDIRETA1 00000007 500921 10665509

☐ Payment by credit card. Form PTO-2038 is attached.

01 FC:2452 270.00 DA

☐ The Director has already been authorized to charge any fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0921. I have enclosed a duplicate copy of this sheet.


☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

  
Travis Dodd  
Typed or printed name

☒ attorney or agent of record.  
Registration number 42,491

818-833-2003  
Telephone number

☐ attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

3/04/2009  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:  
TSUKAMOTO, Hisashi et al.

Application No.: 10/665,509

Filing Date:      September 17, 2003

Title: ELECTRIC STORAGE  
BATTERY CONSTRUCTION AND  
METHOD OF MANUFACTURE

Group Art Unit:      1795

Examiner:      Keith Walker

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

In response to the Final Office Action dated January 9, 2009, applicant is filing a Notice of Appeal. The fee for filing the Notice of Appeal (37CFR41.20(b)(1)) is not filed herewith because the Applicant previously paid this fee on March 12, 2008. Additionally, no fee for an extension of time is filed herewith because this Notice of Appeal is being filed within three months of the mailing of the last Office Action. If, however, it is determined that additional fees are due, the Commissioner is hereby authorized to charge Deposit Account Number 50-0921.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Travis Dodd".

TRAVIS DODD  
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Agent for Applicant(s)

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